

## Healthy, Active Students LEARN Better!

## ACTION BASED LEARNING™

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FAX to:

Allana Lewis  
571-273-8300

FAX #:

Date:

1-26-06 # of Pages 29

RE:

Patent application 10/1824,963

Message:

*Submittal of response to Notice of Non-Compliant Amendment/ Application 10/1824,963.*

- Brain research supports physical activity
  - Movement enhances Learning
- Students who exercise do better in school
  - Exercise grows new brain cells

PTO/902/24 (09-04)  
 Approved for use through 07/31/2006. OMB 0651-0001  
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM									
(To be used for all correspondence after March 1992)									
Total Number of Pages in This Submission <u>13</u>									
<table border="1"> <tr> <td colspan="2">ENCLOSURES (Check off that apply)</td> </tr> <tr> <td> <input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached    <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> After Final    <input type="checkbox"/> Extension of Time Request    <input type="checkbox"/> Express Abandonment Request    <input type="checkbox"/> Information Disclosure Statement    <input type="checkbox"/> Certified Copy of Priority Document(s)    <input checked="" type="checkbox"/> Reply to Missing Parts/shortenening of time  <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.32 or 1.33         </td> <td> <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers    <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation  <input type="checkbox"/> Change of Correspondence Address    <input type="checkbox"/> Terminal Disclaimer    <input type="checkbox"/> Request for Refund    <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD         </td> <td> <input type="checkbox"/> After Allowance Communication to TC    <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences    <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)    <input type="checkbox"/> Proprietary Information    <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) (please identify below):            First 10 pages of Amendment A to First Office Action, including claims, and copy of Patent Office communication.         </td> </tr> <tr> <td colspan="3">Remarks</td> </tr> </table>		ENCLOSURES (Check off that apply)		<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> After Final  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input checked="" type="checkbox"/> Reply to Missing Parts/shortenening of time <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.32 or 1.33	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): First 10 pages of Amendment A to First Office Action, including claims, and copy of Patent Office communication.	Remarks		
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Remarks									

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name		
Signature	<u>Stephen Joseph Madigan</u>	
Printed name	Stephen Joseph Madigan	
Date	January 26, 2006	Reg. No.

CERTIFICATE OF TRANSMISSION/MAILING

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**In The United States Patent and Trademark Office**

**Application Number:** 10/824,963

**Application Filed:** 2004 April 15

**Applicants:** Stephen J. Madigan, Jean Blaydes Madigan, Larry E. Hess,  
Cynthia A. Hess

**Application Title:** Educational Tracks and Apparatuses

**Examiner/GAU:** Allana Lewin/3764

**Mailed: January 13, 2006**

**At: 232 Zachary Walk, Murphy, TX 75094**

**Amendment A to First Office Action**

**Commissioner for Patents**

**Washington, District of Columbia 20231**

**Sir:**

In response to the Office Letter mailed October 21, 2005, please amend the above application, originally filed April 15, 2004, and amended August 15, 2005, as follows:

**Drawings:** Applicants have corrected Figure 1 in accordance with the examiner's recommendation. Figure 1 has been designated "Prior Art" and the replacement sheet has been labeled "Replacement Sheet" in the header. The corrected drawing is attached to this **Amendment A**.